

## REVISED COUNCIL AGENDA

April 20, 2015 6:30 p.m.  
Council Chamber

### PRAYER AND PLEDGE OF ALLEGIANCE:

### ROLL CALL:

### ANNOUNCEMENTS:

1. Proclamation presented to the Saginaw County Bar Association, accepted by Christopher Enge, Attorney at Law, designating May 1, 2015 as "Law Day."
2. Recognition of the Arthur Hill High School Boys Basketball team for their successful 2014-2015 Season.

### PUBLIC HEARINGS:

### PERSONAL APPEARANCES:

*(A list will be provided following submittal deadline)*

### REMARKS OF COUNCIL:

### REPORTS FROM MANAGER:

#### Management Update:

1. Saginaw Riverfront Development website presentation.
2. "Saginaw Soup" Committee presentation.
3. Recycling and Yard Waste presentation by Phil Karwat, Director of Public Services.

### CONSENT AGENDA:

1. Approve the minutes from the April 6, 2015 regular Council meeting.
2. Approve Petition 15-04 from MacDonald Broadcasting/WKCQ to erect a banner at Court Street from May 22 through June 20, 2015 to promote the KCQ Country Music Fest Concert on June 20, 2015.
3. Approve Petition 15-05 from Saginaw County Community Mental Health Authority to erect banners located at South Michigan and East Genesee Avenue from May 1 through May 31, 2015 to promote May as "Mental Health Awareness Month."
4. Approve the Saginaw County Community Mental Health Authority/Mid-State Health Network Treatment and Prevention Services Grant in the total amount of \$58,040, to be divided between FY 2015 in the amount of \$29,020 and FY 2016 in the amount of \$29,020. Further, approve a budget adjustment for FY 2015 to recognize these funds.

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5. Approve a purchase order to O'Connor's Carpet One for \$2,961.45 for carpet in the Watch Commander's Office and the classroom at the Police Department.
6. Approve a purchase order to Linwood Beach Marina for \$5,549 for the purchase and installation of a 50 HP Mercury outboard motor for the rescue boat for the Fire Department.
7. Approve the five-year Internet Service Agreement with ACD.net for an annual amount of \$7,319.40, and the total amount of \$36,597, for Internet Service and Domain hosting; and, approve a purchase order to ACD.net for \$1,000 to run a fiber into City Hall and for related network equipment.
8. Approve the Ojibway Island User Agreement with La Union Civica Mexicana for the Cinco de Mayo Parade Festival on May 2, 2015.
9. Approve the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act permit extension with Michigan Bell Telephone Company, d/b/a AT&T of Michigan, for a four-year term to end on April 30, 2019.
10. Approve a purchase order to Marshall Campbell for \$13,526.50 for 26 Lumecon Ring of Fire Decorative LED light fixtures to retrofit the street lights on E. Genesee Avenue or Washington Avenue near the Bancroft and Eddy buildings for the Right of Way Division.
11. Approve ratification for emergency purchase order no. 496306 and the payment to Mid-State Asbestos, Inc. for \$2,100 for remediation in the Office of Management and Budget Conference Room.

### REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

1. Approve the City Manager's reappointment of Michael Hanley to the Downtown Development Authority with a term to expire April 2, 2019.
2. Approval of the Mayoral reappointment of Carol Cottrell to the Saginaw Riverfront Development Commission with a term to expire April 1, 2020.
3. Approval of the Mayoral reappointment of Thelma Ruffin to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2018.
4. Approval of the Mayoral reappointment of Barbara Roberts to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2018.

### INTRODUCTION OF ORDINANCES:

## REVISED COUNCIL AGENDA

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Council Chamber

### CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend §151.095 "Findings and Purpose," §151.096 "Definitions," §151.097 "Non-Owner Occupied Property - Prohibited Conduct," §151.098 "Non-Owner Occupied Property - Registry," §151.099 "Unoccupied Property Registry", §151.100 "Violation/Abatement," and §151.101 "Fees," of Chapter 151 "Housing Regulations," Title XV "Land Usage," of the City of Saginaw Code of Ordinances O-1.

### RESOLUTIONS:

1. Adopt the Resolution to seek FY 2018 Local Bridge Program Funds from the Michigan Department of Transportation for preventative maintenance on the Center Street, Court Street, and Johnson Street Bridges.

### UNFINISHED BUSINESS:

### MOTIONS AND MISCELLANEOUS BUSINESS:

### ADJOURN:

Timothy Morales  
City Manager

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVENUE, 989.759.1480.

# PROCLAMATION

**WHEREAS**, Law Day is an occasion of public acknowledgement of our nation's heritage of justice, liberty and equality under the law; and

**WHEREAS**, Congress issued a joint resolution in 1961 declaring May 1 Law Day; which is a national day to recognize and celebrate our justice system and the rule of law; and

**WHEREAS**, Law Day allows all citizens to recognize and honor the contributions of the lawyers, judges, and law enforcement agencies and individuals in our community for the responsibilities they bear to commitment of the rule of law; and

**WHEREAS**, 2015 marks the 800th anniversary of a milestone in legal history, the sealing of Magna Carta at Runnymede, England, in 1215. The Founders of our Nation drew upon the principles of Magna Carta in drafting our cherished documents of liberty, including the Declaration of Independence, United States Constitution, and the Bill of Rights; and

**WHEREAS**, Magna Carta has become one of the world's most enduring symbols of liberty under law and continues to be a source of inspiration in the international struggle to advance human rights; and

**WHEREAS**, the American Bar Association has identified the 2015 Law Day theme as "Magna Carta: Symbol of Freedom Under Law". Law Day 2015 will be commemorated in the State of Michigan and celebrated in Saginaw with Mock Trials for all area high schools on April 30, 2015, and presentation of awards on May 7, 2015;

**NOW, THEREFORE BE IT RESOLVED**, I, Dennis D. Browning, Mayor of the City of Saginaw, do hereby proclaim Friday, May 1, 2015, as

## "LAW DAY"

in the City of Saginaw and call upon the people of the City of Saginaw to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, in support of this observance. I further encourage schools, businesses, media, religious institutions, civic and service organizations to join members of the bar and bench in commemorating Law Day.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 20<sup>th</sup> day of April in the year of our Lord two thousand fifteen.



A handwritten signature in black ink, appearing to read "D. Browning".

**Dennis D. Browning, Mayor**

### **Councilpersons**

*Amos O'Neal, Mayor Pro Tem  
Michael D. Balls, Annie Boensch,  
Larry Coulouris, Daniel Fitzpatrick, Floyd Kloc,  
Brenda F. Moore, and Demond L. Tibbs*

April 20, 2015

**Timothy Morales, City Manager**

# CERTIFICATE OF RECOGNITION

## PRESENTED TO

*Roean Baker, Jimmy Bell, Brian Bowen, Jaylen Browder, Billy Burton, Eric Davis, Cruz Garcia, De'Quevion Johnson, Vincent Johnson, Do'Mariye Lloyd, Nate Moore, Will Rodgers, Head Coach: Greg McMath  
Assistant Coaches: Gregory Lawson, Tim Prince, Marshall Gray, Tony Davis, Jason Holder, Athletic Director: Fred Townsend, Principal: Priscilla Roby*

**WHEREAS**, the Saginaw City Council is proud to recognize the members of the Arthur Hill High School Basketball Team for their 2014-2015 season and their performance in the Michigan High School Athletic Association Boys Basketball Tournament, advancing to the Michigan Class A State Championship; and

**WHEREAS**, a winning season consists of hard work, great coaching, determination and a strong team effort. The Arthur Hill Lumberjacks demonstrated their fortitude and athletic ability, finishing 14-0 in the Saginaw Valley League North conference and 24-4 overall for 2014-2015; and

**WHEREAS**, Saginaw is proud of the reputation that the Lumberjacks have earned and the fine publicity they have brought to our community through their inspired team play and successful basketball season; and

**WHEREAS**, all team members, coaches and staff deserve special commendation for their outstanding achievements, and for being a stellar example to the youth in our community, confirming what hard work and dedication can accomplish;

**NOW, THEREFORE BE IT RESOLVED**, I, Dennis D. Browning, Mayor of the City of Saginaw, on behalf of my fellow councilmembers and all our citizens, do hereby offer congratulations to the Arthur Hill High School Boys Basketball team for their outstanding 2014-2015 season.



April 20, 2015

A handwritten signature in black ink, appearing to read "D. Browning".

**Dennis D. Browning, Mayor**

### **Councilmembers**

*Amos O'Neal, Mayor Pro Tem  
Michael D. Balls, Annie Boensch, Larry Coulouris,  
Daniel Fitzpatrick, Floyd Kloc, Brenda F. Moore,  
and Demond L. Tibbs*

**Timothy Morales, City Manager**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, APRIL 6, 2015, AT 6:30 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Amos O'Neal offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Demond Tibbs, Annie Boensch, Mayor Pro Tem Amos O'Neal, Larry Coulouris, Brenda Moore, Michael Balls and Mayor Dennis Browning - 7. Council Members absent: Dan Fitzpatrick and Floyd Kloc - 2.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- Curbside recycling has been upgraded to include more materials and eliminate sorting requirements. For complete details visit the City's website at: [saginaw-mi.com](http://saginaw-mi.com).
- Curbside yard waste pick-up started April 1 and runs through the end of November.
- The Waste Collection Convenience Station will be open this Saturday to City residents for disposal of items such as building materials.
- The Green Team is hosting a "Go Green" celebration at City Hall in Council Chambers on Tuesday, April 14 from 11:00 a.m. to 1:00 p.m. entitled "Back to the Basics" with demonstrations shown for Home Energy Tips, Composting Tips, and Removal of Personal Information from your Hard Drive/Computer/Electronic equipment.

Mayor Browning read and presented a proclamation to Beth London declaring April 24, 2015 as "Arbor Day."

Mayor Browning read and presented a proclamation declaring April 7, 2015 as "National Service Recognition Day." The proclamation was received by Susan Furlo, Director of the Saginaw County Foster Grandparent Program.

PUBLIC HEARING

City Clerk Janet Santos announced the public hearing to establish an Obsolete Property Rehabilitation Act District at 3430 State Street. Mayor Browning called for public comments. Property owner Anthony Denha spoke regarding his project improvement plans and investment in the property. Mayor Browning called for comments two more times. No additional comments were made.

Moved by Council Member Coulouris, seconded by Council Member Moore to close the public hearing. 7 ayes, 0 nays, 2 absent. Motion approved.

PERSONAL APPEARANCES

The following persons addressed the Council: Randy Bartlett, Michael Lewis, Mark Oberschmidt, Alan Butler, Kim Nothelfer, Kaleisha Euell, Katharina Gray, Barbara Weise, Debbie Melkonian, Shayla Norwood, Gabrielle Dosal, Niara Owens, Dylan Valade and John Acklin.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Balls, Moore, Coulouris, Mayor Pro Tem O'Neal, Boensch, Tibbs, and Mayor Browning.

*Mayor Pro Tem O'Neal left the meeting at 7:42 p.m. and returned at 7:50 p.m.*

REPORTS FROM CITY MANAGERManagement Update

City Manager Tim Morales provided informational updates on meetings, projects and events.

Manager Morales introduced City Engineer Beth London. Ms. London presented an overview of the completed 2014 construction projects and the upcoming 2015 projects.

Consent Agenda

1. Approve the minutes from the March 16, 2015 regular Council meeting.
2. Approve the Professional Services Agreement with Andre Borrello of Gilbert, Smith and Borrello, P.C. for legal services in the capacity of City Attorney through June 30, 2017.
3. Approve the amendments to the FY 2015 Approved Budget to recognize any changes that have occurred during the 7<sup>th</sup> period.
4. Approve the polling place agreement with the New Birth Missionary Baptist Church of Saginaw.
5. Approve the five-year Internet Service Agreement with ACD.net for \$7,343.40 for Internet Service and Domain hosting; and approve a purchase order to ACD.net for \$1,000 to run a fiber into City Hall and for related network equipment.
6. Approve a purchase order to Creditron Corporation for \$6,225.10 for the annual maintenance of software and hardware used in the Fiscal Services Department, Treasurer's Division.
7. Approve a purchase order to The Master's Touch, LLC for \$20,929 for the processing and mailing of the Property Tax bills for 2015; and pending approval of the FY 2016 budget, accept the bid from The Master's Touch, LLC for \$20,929 for the processing and mailing of the tax bills for 2016.
8. Approve receiving the donation from the Saginaw Community Foundation of a 14' boat and trailer with a value of \$2,000 to the Saginaw Fire Department for water rescue and recovery operations.
9. Approve the Emergency Service Team Communication Equipment Grant for sixteen Tactical Command Industries TECS systems wireless microphones for the Saginaw Police Department.

10. Approve the Emergency Tourniquet Program Grant for 55 emergency tourniquets with holders for the Saginaw Police Department.
11. Approve a purchase order to Berger Chevrolet, Inc. for \$107,430 for four 2016 Chevrolet Impala patrol vehicles for the Saginaw Police Department.
12. Approve a purchase order to Engel's Auto Body for \$8,280.90 to repair damage sustained to Police Patrol Charger No. 90-1158.
13. Approve the Vehicle Lease Agreement with Ally Financial for four vehicles and approve the purchase order to Berger Chevrolet, Inc. with four annual payments of \$19,876.57, totaling \$79,510.28, for the lease of vehicles for the Inspections and Neighborhood Services Division, pending future budget approval.
14. Approve a purchase order to Osburn Associates for \$12,264 for various types of street sign posts for the Traffic Maintenance Section of the Right of Way Division.
15. Approve to increase blanket purchase orders issued to various vendors by a total amount of \$11,000 for a new total amount of \$25,000 for various vehicle parts and supplies for the Garage Division.
16. Approve a purchase order to Advantage Business Systems for \$8,512.85 for a high-density movable file storage system for the Engineering Division.
17. Approve a purchase order to Hoffman's Power Equipment, Inc. for \$3,189.77 for the repair of one Toro commercial 'Zero-Turn' mower for the Water Treatment Division.
18. Approve the purchase order to the Henry Pratt Company, a sole source, for \$7,387 for three 14" butterfly valves for the Water Treatment Division.
19. Approve to change the vendor name on purchase order no. 496255 from Peterson & Matz to Hydro Gate, LLC.
20. Approve ratification for emergency purchase order no. 496187 to Pumps Plus, Inc., a sole source, for \$2,924 for Slurry Cup and Grit Snail parts for the Wastewater Treatment Division.

Moved by Council Member Coulouris, seconded by Council Member Boensch to approve consent agenda items 1 through 20 as presented. 7 ayes, 0 nays, 2 absent. Motion approved.

#### REPORTS FROM BOARDS; COMMISSIONS AND COMMITTEES, AND APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Moved by Council Member Boensch, seconded by Council Member Moore to approve the following:

- the Council reappointment of Sheryl Gregory to the Historic District Commission with a term to expire April 9, 2018.
- the City Manager reappointment of Dawn Goodrow to the Downtown Development Authority with a term to expire December 31, 2019.



- the Mayoral appointment of Jack Nash to the Local Officers Compensation Commission with a term to expire March 1, 2022.
- the Mayoral reappointment of Audrey Lewis to the Saginaw Arts & Enrichment Commission with a term to expire June 30, 2018.
- the Mayoral appointment of Scot Putzig to the Saginaw Economic Development Commission with a term to expire June 30, 2018.
- the Mayoral appointment of Todd Dixon to the Saginaw Economic Development Commission with a term to expire June 30, 2018.
- the Mayoral reappointment of Clint Bryant to the Saginaw Riverfront Development Commission with a term to expire April 1, 2020.

7 ayes, 0 nays, 2 absent. Motion approved.

Mayor Browning announced the appointment of Council Member Dan Fitzpatrick to the Boards & Commission Committee with a term to expire October 6, 2017 and that Council Member Larry Coulouris will chair the committee.

Council Member Coulouris reported that the Planning Commission met on March 14, 2015 and approved two site plans for projects and one street vacation request for Niagara at Madison near Ames with exception for easements.

Council Member Boensch reported that the City/School Liaison Committee will meet on April 16 at City Hall at 5:30 p.m.

#### INTRODUCTION OF ORDINANCES

Moved by Council Member Tibbs, seconded by Council Member Boensch to introduce an ordinance to amend §151.095 "Findings and Purpose," §151.096 "Definitions," §151.097 "Non-Owner Occupied Property - Prohibited Conduct," §151.098 "Non-Owner Occupied Property - Registry," §151.099 "Unoccupied Property Registry," §151.100 "Violation/Abatement," and §151.101 "Fees," of Chapter 151 "Housing Regulations," Title XV "Land Usage," of the City of Saginaw Code of Ordinances O-1. 7 ayes, 0 nays, 2 absent. Motion approved.

Mayor Browning announced that the ordinance will be laid over under Charter provision.

#### RESOLUTIONS

Moved by Council Member Moore, seconded by Council Member Balls to adopt the resolution to establish an Obsolete Property Rehabilitation Act District located at 3430 State Street. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Moore, seconded by Council Member Boensch to adopt the resolution supporting and participating in the collaborative Public Education Plan for members of the Saginaw Area Storm Water Authority. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Moore, seconded by Council Member Boensch to adopt the resolution supporting and participating in the collaborative Illicit Discharge Elimination

Procedure for members of the Saginaw Area Storm Water Authority. 7 ayes, 0 nays, 2 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Boensch, seconded by Council Member Moore to adjourn the meeting at 9:08 p.m. 7 ayes, 0 nays, 2 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC  
City Clerk

MAR 06 2015

# Petition for Banner

#15-04

**PLEASE NOTE:** PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

**TO SAGINAW CITY COUNCIL:**

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

- 500 Block of Court Street
- 200 Block of West Genesee
- 300 Block of South Michigan
- 1000 Block of East Genesee Avenue

For: Macdonald Broadcasting / WHCO 98.1 FM  
(Organization)

WCO Free Country Music Fest  
Purpose of Banner

**MESSAGE ON BANNER** WCO Country Music Fest Free  
Concert June 20, 2015

Time Period Requested: 5/22/15 to 6/20/15  
(Not to exceed 30 days)

**PETITIONERS**

<u>Dracullean</u>	<u>Mary Yeakle</u>
<u>Benny Borend</u>	<u>Hope Little</u>

**NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:**

NAME Hope Little PHONE 989-752-8161

ADDRESS: 2000 Whittier Street Saginaw, MI 48601

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

APR 07 2015

# Petition for Banner

**PLEASE NOTE:** PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

#15-05

**TO SAGINAW CITY COUNCIL:**

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

- 500 Block of Court Street
- 200 Block of West Genesee
- 300 Block of South Michigan
- 1000 Block of East Genesee Avenue

For: Saginaw County Community Mental Health Authority  
(Organization)

Mental Health Awareness  
Purpose of Banner

**MESSAGE ON BANNER** May is Mental Health Awareness Month

Time Period Requested: May 1<sup>st</sup> to May 31<sup>st</sup>  
(Not to exceed 30 days)

**PETITIONERS**

\_\_\_\_\_  
\_\_\_\_\_

**NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:**

NAME Tim Ninemice PHONE (989) 797-3467

ADDRESS: 500 Hancock St., Saginaw MI 48602

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

**From:** Timothy Morales, City Manager  
**Subject:** Saginaw County TAPS Grant and Budget Adjustment  
**Prepared by:** Sienna Rendon, Community Public Safety – Police

**Manager’s Recommendation:**

I recommend the City Council approve the Saginaw County Community Mental Health Authority (SCCMHA) / Mid-State Health Network (MSHN) Treatment and Prevention Services (TAPS) Grant in the amount of \$58,040. In addition, these funds will be divided between FY 2015 in the amount of \$29,020 and FY 2016 in the amount of \$29,020. This grant agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further, it is recommended that the Mayor or his designee be authorized to sign the agreement.

It is also recommended that a budget adjustment be completed to increase the Saginaw Treatment and Prevention Services (TAPS) Fund's Saginaw County revenue Account No (265-0000-674.003) from \$71,114 to \$100,134 which equates to a \$29,020 increase. This increase in revenues will be offset by an increase to the Saginaw TAPS Fund's Overtime Account No (265-3325-704.000) by \$28,599 and the accompanying Medicare Account No (265-3325-715.017) by \$421.

**Justification:**

This agreement between the City of Saginaw and SCCMHA/MSHN to receive funds under the Treatment and Prevention Services Grant will be used to provide educational and outreach activities that prevent and reduce substance abuse in high risk and underserved populations. The total amount of the agreement is for \$58,040 in which \$29,020 will be designated for FY 2015 and the other half \$29,020 for FY 2016 and is effective April 1, 2015 through September 30, 2015.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Carpet for Classroom and Watch Commander's Office  
**Prepared by:** Sienna Rendon, Community Public Safety – Police

**Manager's Recommendation:**

It is recommended that a purchase order be issued to O'Connor's Carpet One of Saginaw, MI, the low bidder, in the amount of \$2,961.45 for new carpet, including labor, for the Watch Commander's Office and classroom at the Saginaw Police Department.

**Justification:**

On March 31, 2015, two (2) qualified vendors submitted bids in response to the City of Saginaw's request for Proposal #1283-14 for new carpet, all materials, all installation and labor excluding the moving of furniture prior, for the Watch Commander's Office (first floor) and the classroom (second floor) in which the carpet is soiled beyond repair despite having been shampooed professionally numerous times in the past.

The following is a tabulation of the bids received:

<b>VENDOR &amp; LOCATION</b>	<b>WATCH COMMANDER'S OFFICE LABOR &amp; MATERIALS (24 YARDS)</b>	<b>CLASSROOM LABOR &amp; MATERIALS (97YARDS)</b>	<b>TOTAL COST</b>
O'Connor's Carpet One Saginaw, MI	\$592.80	\$2,368.65	\$2,961.45
Northeastern Paint Supply Saginaw, MI	\$643.82	\$2,492.23	\$3,136.05

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in Community Public Safety – Police, Police Patrol Division's Capital Less Than \$5,000 Account No. 101-3511-971.000.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Timothy Morales, City Manager

**Subject:** Outboard Motor Purchase

**Prepared by:** Christopher Van Loo, Fire Chief

**Manager's Recommendation:**

I recommend that the low bid from Linwood Beach Marina, Linwood, MI, be accepted and that a purchase order be issued to them in the amount of \$5,549 for the purchase and installation of a 50 HP Mercury outboard motor on the Fire Department's rescue boat.

**Justification:**

On April 6, 2015, Saginaw City Council approved the acceptance of a donated 14' boat and trailer from the Saginaw Community Foundation. The boat was received "as is" and did not come with a motor. To make the donated boat operational, a suitable motor for the boat was specified and put out for bid. Two bids were received for the purchase and installation a new 50 HP outboard motor.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Total</u>
Linwood Beach Marina Linwood, MI	\$5,549.00
Bay Outboard Marine Kochville Twp., MI	\$5,616.00

Linwood Beach Marina meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the General Fund Community Public Safety - Fire, Fire Apparatus Operations and Maintenance, Vehicles Account No. 101-3554-982.000.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** ACD.net Fiber Internet Services Agreement  
**Prepared by:** Chris Seager, Technical Services

**Manager's Recommendation:**

I recommend approval of the Internet Services Agreement with ACD.net, our current provider. This agreement sets terms for the City's access to the Internet for a period of 60 months with the use of ACD.net Fiber Connection. The current cost of Internet services and Domain hosting is **\$609.95** a month, for a total **annual** amount of \$7,319.40, **and a grand total of \$36,597.** There is no cost increase, but bandwidth will increase by five times with this new agreement. There is also a one-time installation service charge of \$1,000 to run the fiber into City Hall and for related network equipment. This agreement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

This agreement appeared on the April 6, 2015 agenda and is being resubmitted due to a clerical error, with changes listed above in bold print. ACD.net has expanded their Fiber Connection Internet service into the City of Saginaw which allows for greater internet bandwidth than was previously possible. The City continues to experience a significant increase in demand for Internet bandwidth due to increased City website traffic, VPN access and technology demands. Additional contributing factors are the increased bandwidth needs of newer technologies throughout the City such as web site video streaming, wireless cameras and wireless meter reading. We are currently under an Agreement with ACD.net Internet Service with a remaining period of just over one (1) year. The parties have agreed to enter into a new Agreement for a period of five (5) years with an upgrade to Fiber Internet access. The increased access will provide quicker website response, smoother video streaming and allow for easier service increases in bandwidth, when needed.

This Agreement contains terms that are not favorable to the City, such as a one-sided indemnification clause and early termination penalties. It is recommended that we accept the Agreement in its present form as these terms and conditions are standard in most Internet service agreements.

This vendor meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for these payments are budgeted and are available in the Technical Services - Information Services Fund's Operating Services Account No. 658-1720-805.000.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.



**From:** Timothy Morales, City Manager  
**Subject:** La Union Civica Mexicana Ojibway Island User Agreement  
**Prepared by:** Evelyn McGovern, Public Service Department

**Manager's Recommendation:**

I recommend approval of the Ojibway Island User Agreement between the City of Saginaw and La Union Civica Mexicana (UCM) for the Cinco De Mayo Parade Festival scheduled on May 2, 2015. The Agreement is approved by me as to substance and the City Attorney as to form.

**Justification:**

On May 2, 2015, UCM will host its annual Cinco De Mayo Parade Festival on Ojibway Island. UCM will pay the City a flat fee of \$700 for the rental of Ojibway, due and payable 14 days before the event. The parties have further agreed that UCM will pay the City a minimum of service fee \$125 for ticket sales. Moreover, UCM will pay the City, twenty five cents per ticket for ticket sales over 500. Payment for this fee must be remitted to the City within fourteen days after the event.

UCM has agreed to carry and name the City as an additional insured on its commercial general liability insurance policy, indemnify the City against any potential claims arising from the event, and otherwise comply with all applicable laws, rules and ordinances.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** METRO Act Permit Extension - ROW Division  
**Prepared by:** Beth London, Public Services Department

**Manager's Recommendation:**

I recommend approval of the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act Permit Extension issued to Michigan Bell Telephone Company d/b/a AT&T of Michigan. The current permit expires on April 30, 2015 and the extension is for a four-year term to end on April 30, 2019. I further recommend that the City Manager be authorized to execute the permit extension on behalf of the City. The City Manager has approved the permit extension as to substance and the City Attorney as to form.

**Justification:**

The METRO Act of 2002 was created to, among other things, streamline the process for authorizing access to and use of public rights-of-way by telecommunications providers and ensure the reasonable control and management of public rights-of-way by municipalities. A telecommunications provider using or seeking to use the public rights-of-way for its facilities must obtain a permit from the municipality and pay all fees required under the Act. The Act determines all aspects of the permitting process, including application, dispute resolution and fees. The Act requires that municipalities act reasonably and promptly on all applications for a permit and must grant providers a permit for access to and use of all public rights-of-way. AT&T has been a part of the METRO Act since its inception in 2002.

The recommendation is to extend an already existing permit. It does not change the relationship between the parties, requirements regarding the payment of fees or requirements regarding construction and maintenance of telecommunications facilities within the City's rights-of-way.

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Purchase of Decorative LED Street Light Fixtures– ROW Division  
**Prepared by:** Beth D. London, Public Services Department

**Manager’s Recommendation:**

I recommend that the low bid from Marshall Campbell, of Saginaw, MI be accepted and a purchase order be issued to them in the amount of \$13,526.50 for the purchase of 26 Lumecon Ring of Fire Decorative LED Street light fixtures to retrofit the decorative street lights on E. Genesee Avenue or Washington Avenue (M-13) near the Bancroft and Eddy buildings for the Right of Way Division.

**Justification:**

On April 7, 2015, the City received bids for 26 Lumecon Ring of Fire LED street light fixtures to continue retrofitting the City’s decorative street lighting system. The 26 LED light fixtures will be used to retrofit the decorative street lights on E. Genesee Avenue or Washington Avenue (M-13) near the Bancroft and Eddy buildings.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>	<u>Total</u>
Marshall Campbell Saginaw, MI (in-city)	\$520.25/ each	\$13,526.50
Standard Electric Saginaw, MI (out-city)	\$568.00/each	\$14,768.00
J & T Electrical Supply Oxford, MI	\$595.00/each	\$15,470.00
Competitive Lighting Belleville, MI	\$595.08/each	\$15,472.08

Marshall Campbell meets all requirements of §14.23, “Vendors,” Purchasing, Contracting, and Selling Procedure,” of Chapter 14, “Finance and Purchasing,” of Title I, “General Provisions” of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the Clean Energy Coalition Fund – Clean Energy Division’s, Parts and Supplies Account No. 230-1795-742.000 (\$13,300) and the Major Street Fund – Traffic Engineering Division’s Parts and Supplies Account No. 202-4621-742.000 (\$226.50).

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Ratification of Emergency Purchase – OMB Conf. Rm. Remediation  
**Prepared by:** Bruce Caradine, Public Services Department

**Manager’s Recommendation:**

I recommend ratification for emergency purchase order no. 496306, and the payment to Mid-State Asbestos, Inc., Saginaw, in the amount of \$2,100 issued on April 2, 2015 for Office of Management and Budget (OMB) Conference Room remediation.

**Justification:**

On March 30, 2015, the City received quotes from two (2) companies to remediate construction materials in the Office of Management and Budget Conference Room after portions of the ceiling tiles collapsed. An emergency purchase order was issued expeditiously for the completion of the remediation in order not to disrupt the OMB office during their busiest time of the year.

The repairs amount to less than the City’s \$100,000 deductible; therefore, no reimbursement from the insurance company is warranted.

The quotes received were as follows:

<u>Vendor</u>	<u>Cost</u>
Mid-State Asbestos Removal, Inc. Saginaw, MI (out city)	\$2,100
MIS Corporation Grand Rapids, MI (out city)	\$3,374

Mid-State Asbestos Removal, Inc. meets all requirements of §14.23, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the following accounts General Fund - Department of Fiscal Services - Administration Division's Professional Services Account No. 101-1740-801.000(\$1,050) and Technical Services- Information Services Fund Professional Services Account No. 658-1720-801.000(\$1,050).

**Council Action:**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to approve the recommendation from the City Manager.

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ that an ordinance introduced on April 6, 2015, be taken up and enacted, entitled and reading as follows:

O-\_\_\_\_\_

AN ORDINANCE TO AMEND §151.095 “FINDINGS AND PURPOSE,” §151.096 “DEFINITIONS,” §151.097 “NON-OWNER OCCUPIED PROPERTY - PROHIBITED CONDUCT,” §151.098 “NON-OWNER OCCUPIED PROPERTY - REGISTRY,” §151.099 “UNOCCUPIED PROPERTY REGISTRY,” §151.100 “VIOLATION/ABATEMENT,” AND §151.101 “FEES,” OF CHAPTER 151 “HOUSING REGULATIONS,” TITLE XV “LAND USAGE,” OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

**§ 151.095 FINDINGS AND PURPOSE.**

Unsupervised properties have a negative impact on surrounding properties and neighborhoods. Owners of such properties should be held accountable for the condition of same, because properties which are not maintained constitute a hazard to the public health, safety, and welfare, create blight and nuisances, and lower property values and neighborhood integrity.

It is the purpose and intent of the City, through the adoption of this article, to establish a non-owner occupied property registry and unoccupied property registry as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of such properties.

**§ 151.096 DEFINITIONS.**

- (A) **City** shall mean the City of Saginaw.
- (B) **Controller** shall mean the person under contract with the owner for the management and/or maintenance of the property or who is otherwise authorized by the owner to exercise any physical control over the property, including but not limited to any property management or property preservation company responsible for the maintenance and security of the property.
- (C) **Drug related activity** shall mean the illegal manufacture, sale, distribution, possession, or use of a controlled substance (as defined by the Controlled Substance Act and/or Michigan’s Public Health Code).
- (D) **Local agent** shall mean a Michigan-based person or business entity appointed in writing by the owner to be the contact person on behalf of the owner and/or controller with the City.

- (E) **Non-owner occupied property** shall mean any dwelling, dormitory, dwelling unit, apartment house, or guest room in a lodging house, rooming house, bed and breakfast establishment, hotel or motel within the City which is occupied by someone other than the owner.
- (F) **Nuisance** shall mean a nuisance as defined by §94.01 of the Saginaw Code of Ordinances.
- (G) **Owner** shall mean the person noted as the last owner of record (*i.e.* person holding legal title to the property) in the records of the City Assessor.
- (H) **Person** shall mean an individual, firm, corporation, trust, estate, partnership, incorporated or unincorporated association, limited partnership, limited liability company, or any other legal entity.
- (I) **Quality of Life Violation** occurs when the resident, any members of the resident's household or a guest or other person under the resident's control has been issued one or more court appearance tickets, complaints, or citation for violation of any state law or local ordinance on the non-owner occupied property that involves (a) drug related activity, (b) prostitution, (c) criminal gang activity, (d) assaultive, threatening, or intimidating behavior (including but not limited to unlawful discharge of firearms), (e) malicious destruction of property, or (f) conduct that jeopardizes the health, safety, and/or welfare of others. "Conduct that jeopardizes the health, safety, and/or welfare of others" could include, but is not limited to, the following: (1) Dangerous Dog Violation contrary to City Ordinance 94.17, (2) Unlawful Discharge of a Firearm violation contrary to City Ordinance 130.03(D), (3) Illegal Business or Occupation violation contrary to City Ordinance 130.33, (4) Noise violation contrary to City Ordinance 94.22, and (5) Violation of the maximum occupancy overcrowding, illegal use of space provisions of the City Ordinance contrary to Chapter 153.

Unless otherwise provided by law, proof of a violation shall not require a criminal conviction but shall require only a preponderance of the evidence. A violation shall be deemed to have occurred in the vicinity of non-owner occupied property if it occurs in an adjacent common area or in the adjacent public right of way in front of the non-owner occupied property

- (J) **Repeated Quality of Life Violations** will be considered to be three (3) quality of life violations by one or more tenants or their guests, with respect to any dwelling unit within any 12-month period.
- (K) **Unoccupied property** shall mean any property or lot that is vacant, regardless of whether such property contains a vacant dwelling or other structure.

## § 151.097 NON-OWNER OCCUPIED PROPERTY – PROHIBITED CONDUCT.

- (A) No owner or controller of non-owner occupied property shall allow it to be occupied by someone other than the owner without first registering the property with the Office of the City Clerk.
- (B) No owner or controller of non-owner occupied property shall allow occupancy of the property without first being in compliance with this ordinance.
- (C) No owner or controller of non-owner occupied property shall allow occupancy of the property without first paying any property taxes due and owing on the property.
- (D) No owner or controller shall allow a non-owner occupied property to fall into a state of disrepair, to become in violation of applicable Michigan statutes or City of Saginaw codes, or to otherwise become a nuisance or create a nuisance condition.
- (E) Once registered, no owner or controller shall allow non-owner occupied property to remain occupied if it is in a state of disrepair, in violation of applicable Michigan statutes or City of Saginaw codes, or otherwise has become a nuisance condition or created a nuisance condition.
- (F) No owner or controller shall knowingly permit a resident to remain in occupancy of non-owner occupied property if that resident, members of the resident's household, or guests or other person's under the resident's control commit repeated quality of life violations.
- (G) No owner or controller of non-owner occupied property shall transfer title, possession, or occupancy of the property without first being in compliance with this ordinance.

## **§ 151.098 NON-OWNER OCCUPIED PROPERTY – REGISTRY.**

- (A) To register non-owner occupied property, the owner or controller shall:
  - (1) Complete and file with the City Clerk, online or in-person, a registration application for each non-owner occupied property, which shall state or have attached, as applicable:
    - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
    - (b) A copy of the written agreement appointing a local agent for the owner or controller.
  - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the City for each non-owner occupied property.

- (3) Provide verification to the City Clerk that the property is not condemned nor under an order to vacate.
- (4) Pay in full any property taxes due and owing on the property.
- (5) Pay in full any fines that may be owed due to a violation of this Ordinance.
- (6) Agree to provide all residents a lease disclosure letter which provides information regarding frequently violated City regulations, including:
  - (a) The City's Noise Ordinance (Sec 94.20, *et seq.*);
  - (b) The City's Curfew for Minors Ordinance (Sec 130.50, *et seq.*);
  - (c) The City's Disturb the Peace of Neighborhoods Ordinance (Sec 130.32);
  - (d) The City's Housing Regulations (including Sec 151.082 and 151.083); and
  - (e) The City's Parking Regulations (including Sec 72.28);
- (7) Agree that each lease or rental agreement entered into for non-owner occupied property shall include the following addendum:

### CRIME FREE LEASE ADDENDUM

In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. Resident, members of the resident's household, and a guest or other person under the resident's control shall not engage in criminal activity, or any act intended to facilitate criminal activity, including drug-related criminal activity, on or near said premises.

2. Resident and members of resident's household will not permit the dwelling unit to be used for, or facilitate criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.

VIOLATION OF THE ABOVE PROVISIONS SHALL CONSTITUTE A QUALITY OF LIFE VIOLATION AND BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF THE TENANCY. A single violation of any of the provisions of this addendum shall be deemed a serious violation and material and irreparable noncompliance with your lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by substantial evidence of the type reasonably relied upon by property managers in the usual and regular course of business.

In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.

This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.



This LEASE ADDENDUM is not intended to diminish Resident's or broaden Owner's rights with regard to Michigan's laws pertaining to the recovery of possession of property.

(B) Upon the City Clerk's receipt of the completed registration application and applicable fees, the City Clerk shall verify whether the property is eligible for registration and, if so, shall register the property.

(1) If the property is not eligible for registration, the City Clerk shall inform the owner or controller of the deficiencies preventing registration, including what additional information, documentation, and/or fees are required.

(C) After a non-owner occupied property has been registered, the owner or controller shall:

(1) Notify the City Clerk of any change in the information provided in the original registration application, including but not limited to a change in occupancy status or a change in contact information for the owner, controller, or local agent, within thirty (30) days of the date of the change.

(2) Cause the dwelling to be inspected by designated employees or other representatives of the owner or controller or by appropriate representatives of the City for compliance with this ordinance at least once annually. Proof of such inspections must be provided to the City Clerk upon renewal of registration to document that the property remains in compliance with this ordinance.

(3) If the non-owner occupied property has become ineligible for this registry, the City Clerk shall remove the property from the registry and shall provide the owner or controller with written notification of this action, the reason therefore, and shall inform the owner or controller of the deficiencies preventing continued registration, including what additional information, documentation, and/or fees are required.

(D) Exceptions:

(1) Owners or purchasers of structures which contain only one (1) dwelling unit, with or without an accessory garage, carport or shed, and which contain no other occupancy, may occupy that dwelling unit themselves without registering the unit or paying a fee. The owner's immediate family, defined as the owner's spouse or significant other, children, and up to two (2) grandparents, may also occupy that dwelling with the owner. All other requirements of this chapter shall apply in such instances.

(2) Owners and controllers of property properly registered under this section who are actively advertising and holding the property out for rental and/or sale shall not be required to register the property as unoccupied property under

§151.099 of this ordinance. Evidence of same, such as a copy of any advertisement or listing, shall be provided to the City Clerk.

## § 151.099 UNOCCUPIED PROPERTY REGISTRY.

- (A) The Office of the City Clerk shall maintain a registry of all unoccupied properties within the City of Saginaw.
- (B) An owner or controller of unoccupied property shall register the property with the City Clerk within sixty (60) days of transfer of title to the property to the name of the new owner. If the title was transferred prior to the effective date of this ordinance, the owner or controller of the property shall register the property with the City Clerk no later than sixty (60) days after the effective date of this ordinance.
- (C) To register unoccupied property, the owner or controller shall:
  - (1) Complete and file with the City Clerk, online or in-person, a registration application for each unoccupied property, which shall state or have attached, as applicable:
    - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
    - (b) A copy of the written agreement appointing a local agent for the owner or controller.
    - (c) A statement describing the expected period of vacancy, a detailed plan for the regular maintenance of the property during the period of vacancy (for example, lawn maintenance and securing of any structures), and a timeline for the lawful re-occupancy of the property, the rehabilitation of the property, or the demolition of the dwelling and/or structure(s) on the property.
  - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the City for each unoccupied property.
  - (3) Pay in full any property taxes due and owing on the property.
- (D) Any change in the information provided in the registry, including but not limited to a change in ownership, change in vacancy status, or a change in contact information for the owner, controller, and/or local agent shall be provided to the City Clerk within thirty (30) days of the date of the change.

- (E) Unoccupied property may not be occupied until all outstanding taxes, costs, assessments, and/or liens owed to the City of Saginaw have been paid in full and a certificate of occupancy has been issued by the City of Saginaw.
- (F) Exceptions:
  - (1) Unoccupied properties owned by governmental subdivisions/agencies need not be registered in accordance with this Chapter.

## **§ 151.100 VIOLATION/ABATEMENT.**

- (A) Except as otherwise stated, violations of this Chapter shall be treated as strict liability offenses regardless of intent.
- (B) An owner or controller of non-owner occupied property or unoccupied property that is found to be in violation of any article of this Chapter shall be responsible for a municipal civil infraction as set forth in Chapter 37 of this Ordinance.
- (C) Properties subject to this ordinance shall at all times be kept free of weeds, dry brush, dead vegetation, trash, junk, building materials, and the accumulation of other debris and shall otherwise comply with the Saginaw Housing Code. Additionally, the property shall be maintained free of graffiti, tagging, and similar markings. Yards shall be landscaped and maintained pursuant to this Ordinance.
  - (1) If the property has not been maintained, the City may maintain the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (D) Properties subject to this ordinance shall at all times be maintained in a secure manner so as not to be accessible by unauthorized persons. The City shall have the authority to require the owner or controller to implement additional maintenance and/or security measures as deemed necessary.
  - (1) If a property has not been secured, the City may secure the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (E) Failure to properly maintain or secure either non-owner occupied property or unoccupied property will be deemed a nuisance for which the City may issue a written notice to correct. The City may abate any such nuisance upon the failure of the owner or controller of the property to take abatement action within ten (10) days of the written notice to correct. When the City has abated such a nuisance, the cost of the abatement, including any applicable administrative charges, will be billed to the owner of the property. Such billing shall be a personal debt of the owner to the City, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or which may be assessed as a lien against the property, including interest thereon, until paid.

- (1) The owner of the property where such a nuisance exists is also responsible for a Class D municipal civil infraction as set forth in §94.02 of this Ordinance.
- (F) On each occasion that a resident in a non-owner occupied property or such resident's guest commits a quality of life violation, the City Manager or designee shall send notice of such violation to the owner or controller. Upon the occurrence and notice of three (3) quality of life violations by one or more resident or their guests, with respect to any non-owner occupied property within any 12-month period, the non-owner occupied property will be deemed a nuisance. An unsuccessful good faith attempt to evict the offending resident, after commission of two quality of life violations, shall constitute an absolute defense. It is not a violation if the owner or controller reported the violation.
- (1) The owner of the property where such nuisance exists is responsible for a Class F municipal civil infraction, subject to payment of a civil fine as set forth in § 37.07, plus costs and other sanctions for each infraction. Repeat offenses shall be subject to increased fines as provided by § 37.07.

## **§ 151.101 FEES.**

- (A) Fees for each registry shall be established by City Council and posted in the Office of the City Clerk.
- (B) All registration/license cycles for non-owner occupied property shall start on March 15 of each year.
- (1) For the period from the effective date of this section to March 15, 2014 all properties with a valid registration shall continue to be registered until March 15, 2014. Registrations shall all expire on March 15 of each year regardless of application date. If March 15 should fall on a holiday or weekend the fee shall be due on the next regular business day.
- (C) All registration/license cycles for unoccupied property shall start on December 30 of each year.
- (1) All unoccupied properties must be registered within sixty (60) days of the enactment of this ordinance. For the period from the effective date of this section to December 30, 2013, the annual registration fee shall be reduced by fifty (50%) percent.
- (2) Registrations shall expire on December 30 of each year regardless of application date. If December 30 should fall on a holiday or weekend the fee shall be due on the next regular business day.
- (D) An additional late charge of one hundred (100%) percent of the base fee shall apply and be assessed in the event of any of the following:

- (1) Failure to register unoccupied property within sixty (60) days of the enactment of this ordinance.
  - (2) Failure to register a non-owner occupied or unoccupied property within fifteen (15) days of date of written notice from the City that the property is in violation of this ordinance.
  - (3) Failure to pay the registration renewal fee by the required date each year.
  - (4) Failure to register a non-owner occupied or unoccupied property within sixty (60) days of transfer of title in the property.
  - (5) Failure to provide the City Clerk the required notice of any change in the information provided in the registry, including but not limited to a change in vacancy status or a change in contact information for the owner and/or controller within thirty (30) days of the date of the change.
- (E) Failure to pay any applicable fees or late fees shall be deemed a personal debt of the owner to the City, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or assessed as a lien against the property, including interest thereon, until paid.

This ordinance shall become effective April 30, 2015.

Enacted: April 20, 2015.

Yeas:

Nays:

Absent:

Abstain:

## ORDINANCE DECLARED ADOPTED

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Dennis D. Browning  
Mayor

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Janet Santos, CMMC/CMC/MMC  
City Clerk

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on April 20, 2015; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

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Janet Santos, CMMC/CMC/MMC  
City Clerk

**From:** Timothy Morales, City Manager  
**Subject:** Application for Local Bridge Program Funds – ROW Division  
**Prepared by:** Beth D. London, Public Services Department

**Manager’s Recommendation:**

I recommend that the City of Saginaw actively seek FY 2018 Local Bridge Program Funds for preventative maintenance on the Center Street, Court Street, and Johnson Street Bridges over the Saginaw River. The application amount for each bridge varies and is based on the needs of each individual bridge.

The Michigan Department of Transportation (MDOT) requires as part of the Local Bridge Program Fund Application process, that a resolution be adopted by City Council indicating that the application has been reviewed and that the City is actively seeking these funds for the projects as stated above. This resolution appears under the regular order of business.

**Justification:**

The Local Bridge Program was enacted in 2004 and is the federal legislation that provides funds for local agency bridges. MDOT has called for project applications from eligible communities who wish to participate in this program. The applications have to meet certain criteria and because of funding limitations, the applications are evaluated by MDOT and ranked against these criteria.

Per the MDOT Local Bridge Program Guidelines, the total number of applications from any local agency is limited to five. The preventative maintenance projects are eligible for a maximum of 95 percent participation from federal and/or state funds. The City is responsible for the 5 percent match and all right-of-way, design engineering and construction engineering costs. Per the City of Saginaw’s most recent bi-annual bridge inspection reports, it is apparent that all of the City of Saginaw’s six vehicular bridges are in need of preventative maintenance.

Funds for the City’s share of the construction costs will be budgeted in FY 2018 and FY 2019 Major Streets Fund – Bridge Projects Division Construction Projects Account No. 202-4616-822.000. Funds for design and construction engineering costs will be budgeted in FY 2017, FY 2018 and FY 2019 Major Streets Fund – Bridge Projects Division Engineering Services Account No. 202-4616-802.000.

**Council Action:**

This council communication is for explanation purposes only of the Resolution to be adopted.

## AUTHORIZING THE CITY OF SAGINAW TO ACTIVELY SEEK FY 2018 LOCAL BRIDGE PROGRAM FUNDS

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to adopt the following resolution:

**WHEREAS:** The Local Bridge Program Fund provides funding for repair, preventative maintenance and rehabilitation of local bridges; and

**WHEREAS:** A need for preventative maintenance for the Center Street, Court Street, and Johnson Street Bridges over the Saginaw River has been determined by recent engineering and bridge inspection reports done by Spicer Group, the City's structural bridge consultant; and

**WHEREAS:** The cost of such rehabilitation has yet to be determined, and will be once engineering estimates are prepared; and

**WHEREAS:** The deadline for submission of new funding applications for the State of Michigan and FY 2018 Federal Local Bridge Program is May 4, 2015; and

**WHEREAS:** The application will be prepared and reviewed for the purpose of procuring State and Federal Local Bridge Program Funds for such rehabilitation.

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Saginaw is actively seeking Local Bridge Program Funds for preventative maintenance, as needed, for the Center Street, Court Street, and Johnson Street Bridges over the Saginaw River, and is willing to participate in project cost and implementation.

Ayes:

Nays:

Absent:

Abstain:

### RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on April 20, 2015; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

\_\_\_\_\_  
Janet Santos, CMMC/CMC/MMC  
City Clerk